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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,110	12/09/2003	Takeshi Morikawa	032567-020	5434
21839 7590 09/10/2007 BUCHANAN, INGERSOLL & ROONEY PC POST OFFICE BOX 1404 ALEXANDRIA, VA 22313-1404			EXAMINER MILIA, MARK R	
			ART UNIT 2625	PAPER NUMBER
			NOTIFICATION DATE 09/10/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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## Office Action Summary

Application No.

10/730,110

Applicant(s)

MORIKAWA ET AL.

Examiner

Mark R. Milia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to because in Figure 1 the MFP is not labeled **1** as described in the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,504,621 to Salgado in view of Japanese Patent Document No. 11-041429 to Mishima as cited in the Information Disclosure Statement dated 10/28/05. Reference will be made to a machine translation that is being furnished with this Office Action.

Regarding claim 1, Salgado discloses a data processing apparatus, comprising: an image reader for reading an original (see Fig. 1 and column 6 lines 6-12), a receiver capable of receiving an external job transmitted from an outside (see Figs. 1, 2, and 6-10 and column 6 lines 39-50), a transmitter capable of transmitting image data of the original read by said image reader as a scanning job to an outside (see column 6 lines 38-43), a print device for printing data of the external job received by said receiver (see Fig. 1 and column 6 lines 17-21), one or a plurality of compressing/expanding devices for compressing the image data of the scanning job or the data of the external job and expanding the compressed data (see column 8 lines 45-49), an operation device for instructing an activation of the scanning job in accordance with an operation of a user (see Fig. 7, column 6 lines 6-7, and column 10 line 45-column 11 line 6), and a controller that discriminates whether an activation instruction of the scanning job is

made by said operation device or from an outside in cases where a request for processing the image data of the scanning job is made when the data of the external job is being processed, and controls execution of the external job and the scanning job depending on the discrimination result (see Figs. 8-10, column 10 line 45-column 11 line 6, column 11 lines 16-20, 29-31, and 40-42, column 13 lines 54-60, column 14 lines 47-53, column 15 lines 64-67, column 16 lines 6-16 and 50-51, column 16 line 61-column 17 line 6, and column 17 lines 22-41).

Salgado does not disclose expressly a controller that discriminates whether an activation instruction of the scanning job is made by said operation device or from an outside in cases where a request for processing the image data of the scanning job by said one or a plurality of compressing/expanding devices is made when the data of the external job is being compressed or expanded by said one or a plurality of compressing/expanding devices, and controls execution of the external job and the scanning job by said one or a plurality of compressing/expanding devices depending on the discrimination result.

Mishima discloses a transmitter capable of transmitting image data of the original read by said image reader as a scanning job to an outside (see paragraph 18), a plurality of compressing/expanding devices for compressing the image data of the scanning job or the data of the external job and expanding the compressed data (see paragraphs 2, 7-9, 11-19, 35-36, and 45-46), and a controller that discriminates whether an activation instruction of the scanning job is made by said operation device or from an outside in cases where a request for processing the image data of the scanning job by

said one or a plurality of compressing/expanding devices is made when the data of the external job is being compressed or expanded by said one or a plurality of compressing/expanding devices, and controls execution of the external job and the scanning job by said one or a plurality of compressing/expanding devices depending on the discrimination result (see paragraphs 11, 15, and 35-36).

Regarding claim 6, Salgado discloses a data processing method, comprising the steps of: reading an original by an image reader (see Fig. 1 and column 6 lines 6-12), receiving an external job transmitted from an outside (see Figs. 1, 2, and 6-10 and column 6 lines 39-50), transmitting image data of the original read by the image reader to an outside as a scanning job (see column 6 lines 38-43), printing received data of the external job (see Fig. 1 and column 6 lines 17-21), and discriminating whether an activation instruction of the scanning job is made by an operation device of its apparatus or from an outside when a request for processing data of the scanning job by one or a plurality of compressing/expanding devices when the data of the external job is currently being compressed or expanded by one or a plurality of compressing/expanding devices, and controls the execution of the external job and that of the scanning job by one or plurality of compressing/expanding devices depending on the discrimination result (see Figs. 8-10, column 10 line 45-column 11 line 6, column 11 lines 16-20, 29-31, and 40-42, column 13 lines 54-60, column 14 lines 47-53, column 15 lines 64-67, column 16 lines 6-16 and 50-51, column 16 line 61-column 17 line 6, and column 17 lines 22-41).

Salgado does not disclose expressly discriminating whether an activation instruction of the scanning job is made by an operation device or from an outside when

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a request for processing data of the scanning job by one or a plurality of compressing/expanding devices when the data of the external job is currently being compressed or expanded by one or a plurality of compressing/expanding devices, and controls execution of the external job and that of the scanning job by one or a plurality of compressing/expanding devices depending on the discrimination result.

Mishima discloses transmitting image data of the original read by the image reader to an outside as a scanning job (see paragraph 18), a plurality of compressing/expanding devices for compressing the image data and expanding the compressed data (see paragraphs 2, 7-9, 11-19, 35-36, and 45-46), discriminating whether an activation instruction of the scanning job is made by an operation device or from an outside when a request for processing data of the scanning job by one or a plurality of compressing/expanding devices when the data of the external job is currently being compressed or expanded by one or a plurality of compressing/expanding devices, and controls execution of the external job and that of the scanning job by one or a plurality of compressing/expanding devices depending on the discrimination result (see paragraphs 11, 15, and 35-36).

Regarding claim 11, Salgado discloses a data processing apparatus, comprising: an image reader for reading an original (see Fig. 1 and column 6 lines 6-12), a receiver capable of receiving an external job transmitted from an outside (see Figs. 1, 2, and 6-10 and column 6 lines 39-50), a transmitter capable of transmitting an image data of the original read by said image reader as a scanning job to an outside (see column 6 lines 38-43), a compressing/expanding device for compressing data and expanding the

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compressed data (see column 8 lines 45-49), an operation device for instructing an activation of the scanning job in accordance with an operation of a user (see Fig. 7, column 6 lines 6-7, and column 10 line 45-column 11 line 6), and a controller that discriminates whether the activation instruction of the scanning job is made by said operation device or from an outside in cases where a request for processing the image data of the scanning job by said compressing/expanding device is made when data of the external job is currently being compressed or expanded by said compressing/expanding device, and controls execution of the external job and that of the scanning job by said compressing/expanding device depending on the discrimination result (see Figs. 8-10, column 10 line 45-column 11 line 6, column 11 lines 16-20, 29-31, and 40-42, column 13 lines 54-60, column 14 lines 47-53, column 15 lines 64-67, column 16 lines 6-16 and 50-51, column 16 line 61-column 17 line 6, and column 17 lines 22-41).

Salgado does not disclose expressly a controller that discriminates whether the activation instruction of the scanning job is made by said operation device or from an outside in cases where a request for processing the image data of the scanning job by said compressing/expanding device is made when the data of the external job is currently being compressed or expanded by said compressing/expanding device, and controls execution of the external job and the scanning job by said compressing/expanding device depending on the discrimination result.

Mishima discloses a transmitter capable of transmitting an image data of the original read by said image reader as a scanning job to an outside (see paragraph 18),



a compressing/expanding device for compressing data and expanding the compressed data (see paragraphs 2, 7-9, 11-19, 35-36, and 45-46), and a controller that discriminates whether the activation instruction of the scanning job is made by said operation device or from an outside in cases where a request for processing the image data of the scanning job by said compressing/expanding device is made when data of the external job is currently being compressed or expanded by said compressing/expanding device, and controls execution of the external job and that of the scanning job by said compressing/expanding device depending on the discrimination result (see paragraphs 11, 15, and 35-36).

Salgado & Mishima are combinable because they are from the same field of endeavor, efficient processing of image data in a faster and more cost-effective manner.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the use of plural compressing/expanding devices to process image data parallelly and adjusting image data routing to the compressing/expanding devices depending on the type of image process being performed, as described by Mishima, with the system of Salgado.

Salgado acknowledges that compression/decompression of image data is necessary in the processing of image data (see column 8 lines 45-49) and it would have been obvious to one of ordinary skill in the art that in executing the invention set forth by Salgado that adjustments to the manner in which the compressing/decompressing devices operate are needed to successfully perform the interruption processing of image data, such as walk-up jobs like scanning/copying. Mishima presents a method

for such compression/decompression adjustments based on the image processing being performed.

Therefore, it would have been obvious to combine Mishima with Salgado to obtain the invention as specified in claims 1, 6, and 11.

Regarding claims 2, 7, and 12, Mishima further discloses wherein said controller makes said one or plurality of compressing/expanding devices execute processing of the external job and that of the scanning job in parallel when it is discriminated that the activation instruction of the scanning job is made by said operation device (see paragraphs 11, 15, and 35-36).

Regarding claims 3, 8, and 13, Mishima further discloses wherein said controller makes said one or plurality of compressing/expanding devices execute the processing of the external job and that of the scanning job in parallel by switching the processing of the external job and that of the scanning job in turn (see paragraphs 11, 15, and 35-36).

Regarding claims 4, 9, and 14, Mishima further discloses wherein said controller assigns at least one of said plurality of compressing/expanding devices to the processing of the external job and that of the scanning job, respectively, to thereby execute these processing in parallel (see paragraphs 11, 15, and 35-36).

Regarding claims 5, 10, and 15, Mishima further discloses wherein said controller makes said one or plurality of compressing/expanding devices execute the processing of the scanning job after a completion of the processing of the external job when it is

discriminated that the activation instruction of the scanning job is made from an outside (see paragraphs 11, 15, and 35-36).

Regarding claim 16, Salgado further discloses a print device for printing the data of the external job received by said receiver (see Fig. 1 and column 6 lines 17-21).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (571) 272-7408. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler M. Lamb can be reached at (571) 272-7406. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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MRM

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Art Unit 2625



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